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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,868	12/19/2001	Jani Hyvarinen	324-010647-US(PAR)	1041

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EXAMINER	
GREY, CHRISTOPHER P	
ART UNIT	PAPER NUMBER
2667	

DATE MAILED: 09/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/027,868	HYVARINEN ET AL.	
	Examiner	Art Unit	
	Christopher P. Grey	2667	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 December 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 3 is objected to because of the following informalities:

Regarding claim 3, "transfer" should be replaced by terminal due to the incorrect use of the word transfer.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-9 and 12-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ronen (US 6285660) in view of Lundin (US 6198933).

Claim 1, 12, 18 Ronen discloses checking the availability of transmission service and reachability of a user in a network (Col 10 lines 30-43), where the network may be one of a LAN (Col 2 lines 45-58).

Ronen discloses a user initiating a request to a LAN in the event that communication is desired between that user and a user located within the LAN (Col 2 lines 7-30 and Col 2 lines 45-58 and Col 7 line 66-Col 8 line 17).

Ronen discloses upon determining that the network cannot support communication, generating and sending alternatives to the requesting user (Col 1 line 39-50).

Ronen does not disclose transmitting a service request from the mobile station to the public mobile network in response to the data transmission service not being providable substantially in accordance with the service request and/or the terminal not being reachable via the local network.

Lundin discloses a service requestor issuing a service request to a public land mobile network (PLMN) in which a mobile station is roaming (Col 4 lines 46-Col 5 line 30 and Col 6 line 45- Col 7 line 3). Lundin discloses in the event that a first network does not support the service request, a second network is interrogated (Col 6 line 45-Col 7 line 3).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to combine the alternative messages as disclosed, to indicate interrogating an alternative network (PLMN) in the event that a first LAN does not support the service at that particular time. The motivation for this combination is to efficiently support roaming (abstract and Col 1 lines 11-21).

Claim 2 Ronen discloses using a request to check the availability in the event that a user wishes to communicate with another user within a network (Col 2 lines 6-30).

Claim 3, 13, 19 Ronen discloses a user initiating a request to a LAN in the event that communication is desired between that user and a user located within the LAN (Col 2 lines 7-30 and Col 2 lines 45-58 and Col 7 line 66-Col 8 line 17).

Ronen does not specifically disclose the service request being transmitted to the public mobile network.

Lundin discloses a service requestor issuing a service request to a public land mobile network (PLMN) in which a mobile station is roaming (Col 4 lines 46-Col 5 line 30 and Col 6 line 45- Col 7 line 3).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to combine the alternative messages as disclosed, to indicate interrogating an alternative network (PLMN) in the event that a first LAN does not support the service at that particular time. The motivation for this combination is to efficiently support roaming (abstract and Col 1 lines 11-21).

Claim 4, 14 Ronen discloses a user initiating a request to a LAN in the event that communication is desired between that user and a user located within the LAN (Col 2 lines 7-30 and Col 2 lines 45-58 and Col 7 line 66-Col 8 line 17).

Ronen discloses the network responding to the request after determining if the service requested can be supported (Col 1 lines 23-50). Furthermore, Ronen discloses upon determining that the network cannot support communication, generating and sending alternatives to the requesting user (Col 1 line 39-50).

Ronen does not disclose the service request being transmitted from the mobile station to the public mobile network in response to the message received from the local network.

Lundin discloses a service requestor issuing a service request to a public land mobile network (PLMN) in which a mobile station is roaming (Col 4 lines 46-Col 5 line

30 and Col 6 line 45- Col 7 line 3). Lundin discloses in the event that a first network does not support the service request, a second network is interrogated (Col 6 line 45- Col 7 line 3).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to combine the alternative messages as disclosed, to indicate interrogating an alternative network (PLMN) in the event that a first LAN does not support the service at that particular time. The motivation for this combination is to efficiently support roaming (abstract and Col 1 lines 11-21).

Claim 5 Ronen discloses upon determining that the network cannot support communication, generating and sending alternatives to the requesting user (Col 1 line 39-50). It would have been obvious to one of the ordinary skill in the art at the time of the invention that the alternative may be another network, such as the PLMN disclosed in the rejection of claim 1.

Claim 6 Ronen discloses upon determining that the network cannot support communication, generating and sending alternatives to the requesting user (Col 1 line 39-50). It would have been obvious to one of the ordinary skill in the art at the time of the invention that the alternative may be another network, such as the PLMN disclosed in the rejection of claim 1.

Ronen doses not specifically disclose transmitting the service request to the public mobile network.

Lundin discloses a service requestor issuing a service request to a public land mobile network (PLMN) in which a mobile station is roaming (Col 4 lines 46-Col 5 line

30 and Col 6 line 45- Col 7 line 3). Lundin discloses in the event that a first network does not support the service request, a second network is interrogated (Col 6 line 45- Col 7 line 3).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to combine the alternative messages as disclosed, to indicate interrogating an alternative network (PLMN) in the event that a first LAN does not support the service at that particular time. The motivation for this combination is to efficiently support roaming (abstract and Col 1 lines 11-21).

Claim 7, 16, 20 Ronen discloses a list of different networks that may be used to support communication between users (Col 6 line 45-Col 7 line 45 and table 3).

Ronen does not specifically disclose the mobile station in response to the message, determining where the service request should be transmitted and the service request being transmitted to the public mobile network determined on the basis of the list.

Lundin discloses issuing the request to a second network when it is determined that reachability in a first network is not supported (Col 6 lines 45-Col 7 line 3).

It would have been obvious to one of the ordinary skill in the art at the time of the invention that the list as disclosed by Ronen be maintained, where in the event that the network interrogated fails to support a connection to a user, the PLMN as disclosed by Lundin may be interrogated based on it being next in the list. The motivation is to support roaming.

Claim 8 Ronen discloses a location database of the local network being checked to determine whether the terminal of the called number included in the service request is attached to the local network (table 2 and Col 5 lines 13-21).

Ronen discloses the message being transmitted from the local network to the mobile station in response to the terminal not being attached to the local network (Col 1 line 39-50).

Claim 9 Ronen does not specifically disclose the called number being associated in the location database with a second number, the message comprising the second number and the service request comprising the second number being transmitted to the public mobile network.

Lundin discloses using a VLR address for a service request to a first network, and transmitting the service request to a second network (PLMN) in the event that the first network does not support reachability of users (Col 6 line 45- Col 7 line 3). It would have been obvious to one of the ordinary skill in the art at the time of the invention that each network is associated with a different number, where a first and second number are required.

Claim 17 Ronen discloses the local network supporting IEEE 802.11 standard or being based on GSM standard-supporting base transceiver stations and radio access gateways performing protocol conversion between the IP network and the GSM network (Col 2 lines 45-58).

Ronen does not specifically disclose the PLMN supporting the GSM standard.

Lundin discloses the PLMN supporting the GSM standard (Col 1 lines 11-21).

3. Claims 10, 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ronen (US 6285660) in view of Lundin (US 6198933) in further view of Buswell (EP 0936777).

Claim 10, 11 Ronen discloses a service request being transmitted from the mobile station to the local network for obtaining the data transmission service (Col 2 lines 7-30 and Col 2 lines 45-58 and Col 7 line 66-Col 8 line 17).

Ronen discloses checking the availability of transmission service and reachability of a user in a network (Col 10 lines 30-43), where the network may be one of a LAN (Col 2 lines 45-58).

Ronen discloses a connection to the terminal being established via the local network (Col 1 lines 23-38 and Col 2 lines 45-58).

The combined teachings of Ronen and Lundin do not specifically disclose the mobile station measuring the signal levels of base transceiver stations or access points comprised in the local network and releasing the connection to the terminal via the PLMN.

Buswell discloses the mobile station measuring the signal levels of base transceiver stations or access points comprised in the local network and releasing the connection to the terminal via the PLMN paragraph (0012 and 0017and see fig 1).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to modify the combined teachings of Ronen and Lundin with measuring the signal levels of base stations. The motivation for this modification to allow a user with a degree of flexibility (paragraph 0001-0003).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(a) Lilja et al. (US 660903) discloses a method for determining a service availability.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher P. Grey whose telephone number is (571)272-3160. The examiner can normally be reached on 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on (571)272-3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Christopher Grey
Examiner
Art Unit 2667

C. Grey
Sept 7, 2007

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SUPERVISORY PATENT EXAMINER
TECHNOLOGY

9/6/07